

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - August 16, 1967

Appeal No. 9297 Spiros T. Sigalas, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on August 16, 1967.

EFFECTIVE DATE OF ORDER - November 13, 1967

ORDERED:

That the appeal for a variance from the side yard requirements of the R-2 District to permit a second floor rear addition to the dwelling at 5105 - 45th Street, N.W., lot 46, Square 1581, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District.
2. The lot has a frontage of 25 feet on 45th Street, a depth of 83 feet to a 16-foot wide public alley at the rear. The lot contains an area of 2,075 square feet.
3. The lot is improved with a semi-detached single-family dwelling which was erected prior to regulations requiring 8-foot side yards. Appellant provides side yards of 6.5 feet on the south side and 7.5 feet on the north side of the addition.
4. Appellant proposes to erect a second-story addition over an existing first floor area. The proposed addition will be 8 feet by 10 feet in size. The addition will not create any additional lot coverage.
5. There was opposition from the adjoining property owner to the south who objects on the grounds that the addition will affect adversely conditions of light and air and will be unsightly.

OPINION:

We are of the opinion that the appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations, and that a denial of the requested


relief would result in peculiar and practical difficulties and undue hardship upon the owner. We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps.

We are further of the opinion that the addition, which is only 1.5 feet short of present regulation requirements on the south side of the building, will not tend to affect adversely conditions of light and air to the adjoining property owner.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
CHARLES E. MORGAN  
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.